



JOINT MANAGEMENT PLAN REVIEW

SCOPING COMMENTS SUMMARY: Wildlife Disturbance - Motorized Personal Watercraft

A large number of Motorized Personal Watercraft (MPWC) related comments were received throughout the 2002 scoping process ranging from support for a total ban on these craft to comments recommending that the Monterey Bay National Marine Sanctuary (MBNMS) not regulate MPWC in any manner. Many of the comments supported or opposed the use of MPWC as a means for towing surfers into waves; advocated use of MPWC for rescue; and recommended studies to measure impacts from MPWC. Other comments expressed concern over negative impacts by MPWC operation to wildlife and water quality and the limited scientific understanding of the extent of such impacts.

The following is a “summary” of scoping comments received about MPWC and issues related to MPWC management within the Sanctuary. This list does not reprint or tally every individual comment sent to the MBNMS, but it does reflect every different type of comment regarding MPWC and MPWC related issues. For example, one bulleted item below could represent several identical comments submitted by separate individuals.

Wildlife Disturbance: Motorized Personal Watercraft

- If Motorized Boating is allowed in an area, then Motorized Personal Watercraft (MPWC) should also be allowed.
- Concern about the use of personal watercraft – no increase in use.
- Environmental studies on MPWCs have not been site specific. There is a lack of current science in the studies. New Technology in MPWC is not being considered.
- Concerned about the use of MPWC in and around the surf zone, especially in areas where non-motorized recreational activities are common.
- Pollution from MPWC emissions is not an issue when compared to other sources of pollution.
- Concerned about separations of seal pups from parent, and other impacts to marine mammals and waterfowl, from MPWC operation.
- Sanctuary should ban all motorized personal watercraft and 2-stroke engines.
- Strengthen motorized personal watercraft regulations.
- Modify motorized personal watercraft regulations to include 3-4 person craft.
- The current Personal watercraft zones should remain the same.
- There should not be a general ban on motorized personal watercraft (MPWC) in Monterey Bay, Cordell Bank, or Gulf of the Farallones National Marine Sanctuaries; however offensive activities relating to MPWC operation should be identified and banned where appropriate, and banned activities should be sufficiently enforced.
- MPWC are a valuable tool for certain activities such as search and rescue, enforcement, and research, and their use for these activities in the sanctuaries should not be restricted.
- Concerned because use of MPWC in the surf zone of Half Moon Bay is not safe. Enforcement of this activity must be improved.
- MBNMS should consider including Mavericks in the MPWC use zone.
- MPWC regulations for MBNMS should be the same as those for GFNMS.
- Concerned about the long-term impacts of MPWC use in near shore areas. Sanctuaries should conduct environmental impact studies on this activity.
- MPWC regulations in MBNMS should be made less specific, to prevent loopholes and other opportunities for circumvention of the regulations.
- There should be a more collaborative process regarding MPWC regulation similar to the Florida Keys.
- Apply a noise standard for the Sanctuary regarding MPWC.
- Consider seasonal zones for jet skis. And limited conditions.
- All three sanctuaries should have a consistent policy that allows for MPWC use.



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- Site-specific environmental assessments should be conducted regarding MPWC, which should include air, water, and sound quality testing, and should consider those impacts in relation to any other activities that are permitted in the sanctuaries.
- Strengthen motorized personal watercraft regulations.
- Other than access lanes to MPWC zones, no MPWC should be allowed closer than 250 yards of the shore.
- MPWCs should be banned from approaching within 200 feet of any non-motorized user of the MBNMS or within 200 feet of any non-human species at the surface of the waters of the MBNMS.
- MPWC use in surf zone should be banned.
- Support a 3-year trial period of self regulation by big wave surfing teams at a small number of locations including Mavericks, and perhaps 3-4 other locations during the heaviest surf conditions only. If after this trial period, the NMSP determines that there are issues, then a rigorous licensing program should be implemented.

The following is a list of JMPR Scoping comments that relate to MPWC management topics

Community Outreach:

- Sanctuary needs to work on linking people “living” in the Sanctuary. More comprehensive/interactive outreach.
- Sanctuary should educate people who live inland, about how their actions can affect the ocean.
- Sanctuary should increase its attention of the San Mateo Coast. The San Mateo Coast does not get much overall attention from MBNMS (in terms of regulations, education etc.).

Education: (General Category)

- More education and outreach in general.
- Focus on ongoing education of user groups about the Sanctuary.
- More multicultural education programs.
- Improve educational material on website regarding regulated and prohibited activities.
- Sanctuary should conduct a study on the effectiveness of education vs. regulation in changing behaviors.
- Increase education on resource protection issues and specific regulations.
- Focus on educating communities/groups that are not currently involved with the Sanctuary.
- Sanctuary should educate people who live inland, about how their actions can affect the ocean.
- Expand the Team Ocean program.
- Hold workshops that bring people together to discuss common objectives.
- Sanctuaries should increase education that relates specifically to consequences of actions, and what people can do to help.
- A Team Ocean kayak team (minimum of 2 person) should be stationed in Monterey, Elkhorn Slough, and Santa Cruz. A study should be done to assess the need for additional teams at San Simeon and Half Moon Bay.
- Reduce threats through resource issue education.
- Posted regulations at marinas. (MB, GF)

Enforcement of Regulations: (General category)

- In situations requiring immediate attention, more enforcement and evaluation of issues is needed.
- State should regulate, not Sanctuary.
- New regulations and enforcement should be uniform across the board for all user groups. Sanctuary must acknowledge need for fairness, and should not specifically target certain users (i.e. Commercial fishers).
- Need more enforcement-“eyes” for the Sanctuary.
- Never restrict surfing.



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- Sanctuary should not have a regulatory or permitting program, should concentrate only on data collection and dissemination.
- Sanctuary should not be involved in permitting of activities. It is better left to agencies like the California Coastal Commission. The Sanctuary should serve an advisory role to other agencies.
- Not sure who investigates and enforces Sanctuary violations.
- It is not clear what constitutes "harm" to Sanctuary resources.
- Involve the Coast Guard in enforcement of Sanctuary regulations.
- More Sanctuary enforcement on resource protection issues.
- Do not increase enforcement.
- Assist with enforcement cases in getting them to the level of adjudication and prosecution.
- Sanctuary should develop more voluntary compliance programs, and focus on self-regulation.
- Increase funding for enforcement.
- Increase enforcement staff.
- Increase enforcement of kayakers.
- A land-based officer should patrol the coast along the sanctuaries.
- Sanctuary should be more proactive and creative in enforcement.
- More regulation of recreational users.
- Consider cross deputization with other agencies, for enforcement.
- Utilize the "polluter pays" principle.
- More Sanctuary enforcement on resource protection issues.
- More enforcement of Sanctuary regulations.
- The Sanctuary needs to clarify its regulations, especially with regard to fishing practices.
- Generally, the Sanctuary should not add another layer of permit regulation if other Federal/State/Local/permit authorities are already in place.
- There should be an appeal process for MBNMS permits, and other public concerns/issues.
- Regulate emissions from boat engines.
- MTBE discharge should be prohibited in the Sanctuary. Jet fuel discharge should also be prohibited.
- Avoid duplicative regulations or excessive "red tape".
- MBNMS should evaluate current regulations, and eliminate restrictive policies that are not forwarding the goals of Sanctuary.
- Public should apply for access permits the same way researchers do.
- The regulations for all National Marine Sanctuaries should be the same. They should all be standardized.
- Regulations should be made available in the most frequently used languages.
- Sanctuary should develop adequate enforcement capability and follow-through on all violations that occur. In addition, there should be a comprehensive reporting system and an ability to compile violations and track enforcement actions.
- Create a comprehensive reporting system with an ability to compile violations and track actions.
- Sanctuaries should look at their existing regulatory activities, maintain those that are solely within Sanctuary jurisdiction and eliminate those that overlap other agencies' authority. If these other agencies are deemed ineffective in their stewardship of the environment, then some mechanism should be devised by which the sanctuary can step in and effect positive changes.
- MBNMS should not engage in conduct or regulation that would impair or prevent ocean-dependent commercial enterprises or recreation activities from continuing.
- The Sanctuary's regulatory process is not well defined. The Sanctuary's interpretation of its regulations creates duplication and sometimes inconsistencies with other state and federal policies. Better define this process in the updated management plan.

User Conflicts: (General category)

- Facilitation of multiple uses should be a higher priority for the Sanctuary.
- Need to balance human use with resource protection. Might need to restrict some activities.
- Sanctuary is managing human activity more than managing resources.



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- Concerned about the impacts from recreational use off Elkhorn Slough.
- Since it is nearly impossible for human activity not to create some impact on Sanctuary resources, there is concern that this will lead to more and more restrictions on human use of the Sanctuary, given the current language in the management plan that “multiple uses” are allowed as long as they are consistent with resource protection.
- The facilitation of human use of the Sanctuary is a stated program goal, yet very little has been done to promote this goal.
- Concerned about allowing divers and sportsmen into the Sanctuary with out regulating them. (MB, GF)
- “Extreme sports” not compatible with sanctuary protections.
- Sanctuary should not restrict access to habitats or resources.
- Increase public access.
- Sanctuary should protect the rights indigenous people (traditional users).
- Conscientious (through education) use of the Sanctuary should be as much of a goal as research and conservation.
- Clarifying language needs to be added to the Management Plan to allow for human uses as long as there is no significant and sustained impact that permanently damages the resource, (i.e. allow for minor impacts). Include a guidance statement to help Sanctuary staff define major/minor impacts.
- MBNMS to preserve areas of recreation to better accommodate recreational users: outstanding surf breaks, SCUBA areas, wetlands, and dunes systems are examples of places that should be preserved for recreational and education use.
- Limit recreational use to non-motorized vessels such as wind surfing, kayaks, skin diving, and sailing.
- Sanctuary should be as thorough in protecting fishing heritage, surfing culture, kite surfing, windsurfing, boating and other recreational activities as it is in protecting the endangered species in the Sanctuary.

Vessel Traffic: (General category)

- Only specific vessels that don’t impact Sanctuary resources should be allowed, such as hovercraft. Avoid vessels that pollute.
- Two-stroke engines should be prohibited in Sanctuary waters.

Comments received from the Sanctuary Advisory Council

Motorized Personal Watercraft

- Resolve wildlife/habitat conflicts, current regulation out of date. This is the most controversial issue among recreation users, and the topic of highest interest. MPWC technology is changing faster than the MBNMS current capacity to resolve resource conflicts. High volume of data and studies on issue have different conclusions – staff analysis is needed. All organizations commenting in recreation have taken positions.
- Reassess environmental impacts and recast regulations accordingly; ensure regulatory consistency. We need data to either support or refute that MPWC have an adverse impact on animals and habitats. Based on data, we need to clearly and consistently regulate MPWC usage.